

87th Legislative Session – 2012

Committee: Senate Judiciary

Tuesday, February 21, 2012

P - Present
E - Excused
A - Absent

Roll Call

P Vehle
P Nygaard
P Hunhoff (Jean)
P Buhl
P Begalka
E Cutler, Vice-Chair
P Tieszen, Chair

OTHERS PRESENT: See Original Minutes

The meeting was called to order by Senator Craig Tieszen, Chair.

MOTION: TO APPROVE THE MINUTES OF THURSDAY, FEBRUARY 16, 2012

Moved by: Begalka
Second by: Vehle
Action: Prevailed by voice vote.

HB 1039: exempt certain impaired driving violations from the statutory limitation on enhanced penalties for second, third, or subsequent violations.

Presented by: Lee Axdahl, Department of Public Safety
Proponents: Paul Bachand, Department of Public Safety
 Kelly Marnette, self, Pierre
 Lori Ehlers, self, Aberdeen
Opponents: Jamy Patterson, self, Rapid City
 Brad Schreiber, self, Pierre
 Lindsey Riter-Rapp, SD Association of Criminal Defense Lawyers

MOTION: DO PASS HB 1039

Moved by: Nygaard
Second by: Vehle

Action: Prevailed by roll call vote. (4-1-2-0)

Voting Yes: Vehle, Nygaard, Hunhoff (Jean), Tieszen

Voting No: Begalka

Excused: Buhl, Cutler

HB 1095: revise the procedure for the discharge of civil judgments against a person who has received a discharge of debt pursuant to the United States Code, Title 11.

Presented by: Representative Roger Hunt

MOTION: DO PASS HB 1095

Moved by: Hunhoff (Jean)

Second by: Buhl

Action: Prevailed by roll call vote. (6-0-1-0)

Voting Yes: Vehle, Nygaard, Hunhoff (Jean), Buhl, Begalka, Tieszen

Excused: Cutler

MOTION: PLACE HB 1095 ON CONSENT CALENDAR

Moved by: Nygaard

Second by: Hunhoff (Jean)

Action: Prevailed by voice vote.

HB 1194: revise certain provisions regarding the payment for rape and sexual offense examinations.

Presented by: Representative David Novstrup

Proponents: Dianna Miller, SD Network Against Family Violence and Sexual Assault
Paul Bachand, SD State's Attorneys Association

MOTION: DO PASS HB 1194

Moved by: Vehle

Second by: Buhl

Action: Prevailed by roll call vote. (6-0-1-0)

Voting Yes: Vehle, Nygaard, Hunhoff (Jean), Buhl, Begalka, Tieszen

Excused: Cutler

MOTION: PLACE HB 1194 ON CONSENT CALENDAR

Moved by: Nygaard

Second by: Buhl

Action: Prevailed by voice vote.

HB 1245: revise certain provisions regarding the suspension of a driver license for certain alcoholic beverage violations.

Presented by: Senator Ryan Maher

MOTION: DO PASS HB 1245

Moved by: Nygaard

Second by: Vehle

Action: Prevailed by roll call vote. (6-0-1-0)

Voting Yes: Vehle, Nygaard, Hunhoff (Jean), Buhl, Begalka, Tieszen

Excused: Cutler

MOTION: PLACE HB 1245 ON CONSENT CALENDAR

Moved by: Nygaard

Second by: Vehle

Action: Prevailed by voice vote.

HB 1160: provide for the award of filing fees as court costs in certain appeals.

Presented by: Representative Shawn Tornow

MOTION: DO PASS HB 1160

Moved by: Nygaard

Second by: Vehle

Action: Prevailed by roll call vote. (6-0-1-0)

Voting Yes: Vehle, Nygaard, Hunhoff (Jean), Buhl, Begalka, Tieszen

Excused: Cutler

MOTION: PLACE HB 1160 ON CONSENT CALENDAR

Moved by: Begalka

Second by: Nygaard

Action: Prevailed by voice vote.

HB 1114: amend provision limiting the time used to determine if a violation is a third or subsequent offense.

Presented by: Senator Angie Buhl

Proponents: Dianna Miller, SD Network Against Family Violence and Sexual Assault
Paul Bachand, SD State's Attorneys Association

MOTION: DO PASS HB 1114

Moved by: Vehle

Second by: Hunhoff (Jean)

Action: Prevailed by roll call vote. (5-0-2-0)

Voting Yes: Vehle, Hunhoff (Jean), Buhl, Begalka, Tieszen

Excused: Nygaard, Cutler

MOTION: PLACE HB 1114 ON CONSENT CALENDAR

Moved by: Vehle

Second by: Begalka

Action: Prevailed by voice vote.

MOTION: ADJOURN

Moved by: Buhl

Second by: Begalka

Action: Prevailed by voice vote.

Rena Ortbahn
Committee Secretary

Craig Tieszen, Chair